

**To:** Kivowitz, Sharon[Kivowitz.Sharon@epa.gov]  
**Cc:** LaPoma, Jennifer[LaPoma.Jennifer@epa.gov]  
**From:** Daniel Mach  
**Sent:** Wed 4/30/2014 2:36:44 PM  
**Subject:** RE: Supplementation of 104(e) Response

Thanks, Sharon. I am out of the office for the rest of today but will aim to get this to you by the end of the week.

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**From:** Kivowitz, Sharon [mailto:Kivowitz.Sharon@epa.gov]  
**Sent:** Wednesday, April 30, 2014 10:35 AM  
**To:** Daniel Mach  
**Cc:** LaPoma, Jennifer  
**Subject:** RE: Supplementation of 104(e) Response

You can just submit the docs with a cover letter identifying them as supplements to the previously submitted response.  
Thank you.

Sharon

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**From:** Daniel Mach <[dmach@sprlaw.com](mailto:dmach@sprlaw.com)>  
**Sent:** Tuesday, April 29, 2014 4:04 PM  
**To:** Kivowitz, Sharon  
**Subject:** Supplementation of 104(e) Response

Dear Sharon,

I understand from your voicemail recording that you are out of the office but may have access to email.

As you know, we represent 67 Sylvester Street Holdings with respect to the New Cassel/Hicksville Superfund Site. You should have received our client's 104(e) response two weeks ago. At that time, we had submitted a FOIL request to the New York State DEC for response documents related to the Former Laka Industries site at 62 Kinkel Street.

I now have those documents and would like to submit them as supplemental exhibits to our client's 104(e) response. Will you need a formally amended version of that response for this purpose, along with a certification as was required for the original? I am trying to avoid needless energy and expense, and it seems like DEC site documents are not akin to factual allegations by the client that would require notarization. If a simple cover letter explaining the nature of the documents and their source will suffice, please let me know.

Best,


Daniel Mach  
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